

Minutes of Game and Fish Committee, Held March 29, 1935.

Present: Shivers Chairman, Holbrook, Small, Cotten, Oneal, Pace Redditt and Sulak.

House Bills Nos. 294, 341, 375, 385, 386, 388, 406, 426, 692, 712, 753, 754, 771, 778, 791 and 818, and S. B. No. 457 were reported out of the committee favorably by viva voce vote.

HAZEL AVERY, Secretary.

FORTY-FOURTH DAY.

Senate Chamber,
Austin, Texas,
April 1, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Hill.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

Motion to Suspend Rule.

Senator Cotten moved to suspend the Constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—24.

Beck.	Neal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent.

Blackert.	Poage.
Hopkins.	Sulak.

Absent—Excused.

Oneal. Fellbaum.

Senate Bill No. 475.

By Senator Cotten:

S. B. No. 475, A bill to be entitled "An Act creating the Special Third District Court of Anderson County, Henderson County and Houston County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a Judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Third Judicial District Court to said Special Third District Court and from said Special Third District Court to the District Court of the Third Judicial District; providing for the appointment of an Assistant District Attorney to prosecute cases in said court, making an appropriation for his salary, and providing that the District Attorney of the Third Judicial District and his Assistant shall represent the State in all cases wherein the State of Texas is a party in said Special Third District Court; etc., and declaring an emergency."

Read and referred to the Committee on Judicial Districts.

Motion to Suspend Rule.

Senator Neal moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—24.

Beck.	Oneal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent.

Poage. Sulak.

Absent—Excused.

Blackert. Hopkins.
Fellbaum. Martin.

Senate Bill No. 476.

By Senator Neal, by request:

S. B. No. 476, A bill to be entitled "An Act conferring additional powers upon navigation districts, authorizing navigation districts to charge tolls for the use of its waterways by persons using them for commercial purposes, which waterways are not owned or constructed by the United States as a navigation project; providing that such districts may lease its rights-of-way, spoil basins and other lands for oil, gas and mineral development, providing it does not interfere with the use or development of the project for navigation, and providing the procedure therefor; providing for the sale of any surplus lands owned by such navigation district and prescribing the procedure therefor; providing that such districts may construct turning basins, storage basins and yacht basins and other facilities; providing this act shall be cumulative of all other laws upon the subject of navigation; providing that if any part of this act is held unconstitutional, it will not affect the remainder and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Resolution No. 45.

Senator DeBerry called up S. R. No. 45, relative to Executive Sessions.

Laid on Table.

On motion of Senator DeBerry S. R. No. 45 was laid on the table subject to call.

House Bill No. 404.

Senator Rawlings sent up the following conference report on H. B. No. 404:

Committee Room,

Austin, Texas, March 29, 1935.

Hon. Walter F. Woodul, President of the Senate,

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your committee appointed to adjust the differences between the two Houses on H. B. No. 404,

Have had the same under consideration and hereby report back to the Senate and the House that we have been unable to agree and request and recommend the appointment of another Conference Committee.

Respectfully,

RAWLINGS,
HOPKINS,
PACE,
SMALL,
MOORE,

On the part of the Senate.

STOVALL,
LINDSEY,
McCONNELL,
STEWARD,

On the Part of the House.

I do not approve another committee. The proposed bill is unconstitutional.

FARMER.

The Conference Committee report on H. B. No. 404 was adopted by viva voce vote.

House Bill No. 11.

Pending business was H. B. No. 11. The pending amendment by

Senator DeBerry was laid before the Senate.

Point of Order.

Senator Moore raised the point of order that the DeBerry amendment was out of order as it was the same as the Senate committee substitute which had been killed by the adoption of the Rawlings' amendment to the committee substitute.

The Chair sustained the point of order.

Senator Van Zandt moved to reconsider the vote by which the Rawlings' substitute was adopted.

Point of Order.

Senator DeBerry raised the point of order that the Senate was operating under the previous question and therefore a motion to reconsider could not be made.

The Chair sustained the point of order.

The question was on the adoption of the committee substitute as amended by the Rawlings' amendment.

The committee substitute as amended was adopted by the following vote:

Yeas—14.

Beck.	Rawlings.
Burns.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hornsby.	Small.
Moore.	Stone.

Nays—12.

Collie.	Oneal.
Cotten.	Pace.
DeBerry.	Poage.
Hill.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.

Absent.

Hopkins.	Sulak.
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Absent—Excused.

Blackert.	Fellbaum.
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Motion to Reconsider.

Senator Pace moved to reconsider the vote by which the following

amendment failed of adoption:

Sec. —. The State Health Officer shall have supervision of public health and sanitation, and shall enforce all sanitary laws of Texas insofar as they apply to all the activities of the Texas Centennial, and all necessary expenses therefor shall be paid out of the Centennial Funds appropriated herein for the Central Exposition of Dallas. It is further expressly provided that before the Texas Centennial celebration is officially opened, the State Board of Health of the State of Texas shall certify as to the purity of the water supply of Dallas, Texas, and to further certify as to the sanitary conditions of all hotels and rooming houses of the City of Dallas, and shall further certify as to sanitary conditions of the entire City of Dallas, it being the purpose and intention of the Legislature to safeguard the health of not only the citizens of Dallas but all of the visitors to the celebration.

BURNS.

The motion prevailed by viva voce vote.

The amendment was adopted by the following vote:

Yeas—16.

Beck.	Moore.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Martin.	Woodruff.

Nays—9.

Davis.	Small.
Duggan.	Stone.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Poage.	

Present—Not Voting.

DeBerry.

Absent.

Hopkins.	Sulak.
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Absent—Excused.

Blackert.	Fellbaum.
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Senator Hill sent up the following amendment for H. B. No. 11:

Substitute H. B. No. 11 as substituted by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That the sum of Three Million Dollars (\$3,000,000.00) be and the same is hereby appropriated out of the General Revenue Fund of the State of Texas not otherwise appropriated for the establishment operation and maintenance of the Texas Centennial Celebrations as hereinafter described and defined (all such celebrations to be held during the Centennial year 1936) during the period beginning February 1, 1935, and ending December 31, 1936. In no event shall the funds herein provided be available unless and until the Texas Centennial Commission through its Executive Committee has filed with the Comptroller of the State of Texas a resolution approving the plans of the Texas Centennial Central Exposition for the central celebration at Dallas, and certifying further that said central exposition has the ability and intention in good faith to carry out said plans.

Sec 2. This Act shall be supplemental to the Act passed by the Second Called Session of the Forty-third Legislature, creating a Texas Centennial Commission and cumulative thereof, except that such parts of this Act as are in direct conflict with said creating Act shall hereby specifically repeal and supersede such conflicting parts of said creating Act. Provided this Act does not repeal the requirement in Second Called Session, Forty-third Legislature, requiring the Centennial Commission to repay to the State of Texas the One Hundred Thousand Dollars (\$100,000.00) appropriated in creating said commission.

Sec. 3. Centennial celebrations shall be held at such places (including the places designated in the aforesaid Act creating the Texas Centennial Commission) as said Texas Centennial Commission shall determine; the authority to make such determination being hereby delegated to said Commission. Said commission, in passing upon the application of any locality for a celebration, shall take into consideration whether such locality has such his-

torical significance as will justify the holding of such celebration, and also such locality's accessibility and local facilities and financial ability to contribute local funds. Within the term "celebration" as used in this Act with reference to all places herein named except the City of Dallas, is included the following: The placing of suitable markers at places where historic events occurred; the restoring at no great expense of all or parts of old houses, forts, and other old structures connected with the history of the territory now embraced within the State of Texas; the placing of monuments to early patriots of Texas if such monuments have not heretofore been erected; the purchasing at no great expense of small tracts of land where necessary for the restoration hereinbefore mentioned, or for the monuments mentioned; and the staging of pageants at appropriate places; provided that in the matter of pageants the Texas Centennial Commission may require a contribution by each local community which may be substantial and proportionate to the amount allowed by the Commission; provided further that in requiring such contributions in the matter of pageants the Texas Centennial Commission may take into consideration the amounts already expended by each local community in preserving their historical spots. Provided, however that the Commission shall not have authority to compel contributions or matching of funds for historical celebrations and markings in counties containing no city of more than 25,000 population. Provided further, however, that the Commission may accept contributions from any community.

Sec. 4. There is hereby created an Advisory Board of Texas Historians to be selected by the Texas Centennial Commission, consisting of three (3) members, whose duty it shall be to investigate and report upon and make recommendation to the Texas Centennial Commission as to the authenticity of the claims for Centennial celebrations, as that term is hereinbefore defined, of the various places which shall apply to said Commission therefor, and as to the relative merits of such claims, and as to the kind and character of celebration, as that term is hereinbefore

defined, if any, to which each such place so applying should be entitled, and as to the advisability of all the various expenditures proposed by said applicant or contemplated by said Texas Centennial Commission and referred by it to said Advisory Board for investigation and recommendation. In all cases the Texas Centennial Commission shall have final decision and jurisdiction in the matter of the above celebrations and observances and the expenditures relative thereto. The Centennial Commission and the Advisory Board of Texas Historians must seek the advice and co-operation of the local Centennial Advisory Board in any county applying for recognition.

Sec. 5. The Legislature of the State of Texas hereby allocates the money herein appropriated in the following manner:

The sum of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, shall be used for the erection of specific buildings upon the site of the Centennial Central Exposition in the City of Dallas. Provided that in the employment of laborers and artisans in the construction of such buildings the Centennial Commission shall provide that the work shall be done with Texas laborers and materials and that the other cities of Texas shall not be discriminated against in favor of Dallas.

The sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be necessary, shall be used to equip, fit out, and furnish such buildings.

The sum of One Million Dollars (\$1,000,000.00) or so much thereof as may be necessary, shall be used by the Texas Centennial Commission to defray the expenses or the portion thereof above the amount paid by local funds, of Centennial celebrations, as that term is hereinbefore broadly defined, outside of the City of Dallas and within the State of Texas. It is further provided herein that the Centennial Commission is hereby directed to expend an appropriate amount of the sum herein appropriated for the purpose of erecting at some suitable place in Texas to be selected by the Commission, a memorial to the pioneer womanhood of this State, same to be paid out of the aforementioned fund. On all buildings or projects constructed with

funds appropriated by this Act the provisions of Chapter 45, Acts of the Regular Session of the Forty-third Legislature, shall apply to wages paid.

The sum of Seven Hundred and Fifty Thousand Dollars (\$750,000.00), or so much thereof as may be necessary, shall be used by the Texas Centennial Commission to pay all general administrative expenses and to conduct and finance a nationwide publicity campaign in behalf of all Texas, relative to said Centennial during the period beginning February 1, 1935, and ending December 31, 1936. Provided, however, that not more than ten (10) per cent of said Seven Hundred and Fifty Thousand Dollars (\$750,000.00) general advertising and administrative expense fund shall be used for a direct administration expense, the balance of which shall be used for advertising of the Texas Centennial. No part of the funds herein appropriated shall be expended for salary or expenses directly or otherwise, for envoys outside of Continental North America. No person working or serving in any capacity under the direction, or supervision of the Centennial Commission shall receive as salary, commission, or compensation out of State funds, more than Five Thousand Dollars (\$5,000.00) per year.

No part of any one of said funds shall at any time be used for the purpose of any other one or more of said funds; provided that in no event shall more than One Million Two Hundred and Fifty Thousand Dollars (\$1,250,000.00) of said funds be expended for the erection and/or equipment of buildings upon the site of the Centennial Central Exposition in the City of Dallas.

The Centennial Commission and the Board of Control are hereby prohibited from contracting for the purchase or acquirement by lease or otherwise of real estate unless and until the deeds, records and all other necessary legal documents incident thereto have been approved by the Attorney General of the State of Texas, as now provided by law.

All contracts for construction and equipment involving the expenditure of as much as Fifty Thousand Dollars (\$50,000.00) or more of the moneys herein appropriated shall be

let by the Board of Control of the State of Texas according to all legal requirements now provided as to the letting of contracts by said Board.

Sec. 6. The sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) out of the total appropriation hereby made for the Texas Centennial, or so much thereof as may be necessary, is hereby appropriated and allocated to the planning, equipping and organization and management from the date this Act becomes effective (including the securing of materials, exhibits, funds and gifts from public and private agencies, individuals, patriotic and other organizations) of the Texas Memorial Museum, as a part of the Texas Centennial Celebration, funds for the construction of which are to be donated by individuals, public and private agencies, and by the American Legion Texas Centennial Committee of the State of Texas as sponsors, which museum building is to cost Seven Hundred and Fifty Thousand Dollars (\$750,000.00) when completed. Said museum building is to be located on the campus of the University of Texas in the City of Austin, and the Board of Regents of the University of Texas is hereby constituted the board of directors of the museum, and as such shall have complete authority over the museum including the expenditure of the sum herein appropriated and allocated for the purposes above mentioned. Provided however, this expenditure shall be on vouchers properly approved by the chairman of the Board of Regents and attested by the Secretary of said Board and shall be in accordance with the general provisions of law covering the issuance and payment of vouchers by the Comptroller and Treasurer, respectively, of the State of Texas. Provided that the appropriation made in this section shall be taken pro rata from the other specific allocations of funds made by other sections of this Act.

Sec. 7. All permanent buildings to be erected in the City of Dallas for the Central Exposition shall be erected out of the funds herein authorized and shall be upon the site of the Centennial Central Exposition in the City of Dallas on land, the title to which shall be in the State of Texas. The Texas Centennial Central Ex-

position and the Texas Centennial Commission shall have the right to, possession of, and the free use and occupancy of the said buildings for the duration of the Central Exposition. Provided however, that the aforesaid buildings and the land on which they will be situated are hereby leased by the State of Texas, to the City of Dallas for a period of twenty (20) years, commencing at the termination of the Central Exposition, at a rental of One Hundred Dollars (\$100.00) per year for each said buildings, payable annually in advance. During the term of such lease said buildings shall be used for public purposes, including annual State expositions, and shall not be maintained or operated for purposes of profit; there shall be no charge imposed upon any exhibitor in any of said buildings for exhibit space, and there shall be no admission charge for spectators. The cost of an adequate amount of fire and tornado insurance covering said buildings, and the reasonable cost of maintenance of said buildings, shall be paid by the State Centennial Exposition a corporation, until the termination of said Central Exposition. From and after the date the cost of such insurance and such maintenance shall be borne by the aforesaid lessee, being the City of Dallas.

Sec. 7-a. It shall be unlawful for any member of the Centennial Commission or any member of the Centennial Commission Advisory Board to charge, receive or obtain, directly or indirectly, any fee, commission, retainer, or brokerage out of any fund or funds received by the Centennial Commission; and no member of the Centennial Commission or the Centennial Commission Advisory Board shall have any interest in any land, materials, concessions or contracts sold to or made with either the Centennial Commission or the Centennial Commission Advisory Board or any individual or committee represented by any member of said Commission or Advisory Board. Violation of this provision shall be a misdemeanor, and violation thereof shall be punishable by removal from such Commission or Advisory Board and by fine of not less than One Hundred Dollars (\$100.00) or six (6) months confinement in jail or by both such fine and jail sentence.

Sec. 8. All funds expended under this Act shall be drawn from the Treasury of the State of Texas by warrants properly signed by the Comptroller of Public Accounts and the Treasurer of the State, as is now provided by law.

Sec. 8-a. Fifty per cent (50%) of the net receipts received from all sources by the Texas Centennial Central Exposition at Dallas after paying all debts of said exposition, including the corporation bond issue which shall never exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00) as is now provided in the corporation's trust indenture, shall be paid into the Treasury of the State of Texas for the benefit of the General Fund; said payment into the State Treasury shall be made within six (6) months after the official closing of the Central Exposition at Dallas. By net receipts is meant all profits arising from admissions, concessions, privileges, rentals, leases and any and all other sources from which any funds may be derived. The said Central Exposition Corporation shall keep an accurate record of all receipts received as a result of said Centennial celebration and of all expenditures, and that within six (6) months from the official closing of said exposition said corporation shall cause to be furnished and filed with the Treasurer of the State of Texas a certified public audit showing the complete condition of the affairs of said corporation; and said report shall be accompanied by a certified check for an amount equal to fifty per cent (50%) of the net profits.

Sec. 9. It is understood and expressly provided that should any section, clause, or provision of this Act be hereafter held invalid for any reason, such invalidity shall not in any way affect any other provision of this Act.

Sec. 10. The fact that a very brief time now remains for said Texas Centennial Commission to prepare for the holding of a Texas Centennial Celebration of a scale commensurate with the glorious history of our State, the patriotism of our people, and the progress of the past century, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule which requires all bills

to be read on three several days in each House, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

HILL.

Amend H. B. No. 11 by striking out all above the enacting clause and inserting in lieu thereof the following:

A BILL

To Be Entitled

An Act making appropriation for the establishment, operation and maintenance of the Texas Centennial (including the Texas Centennial Central Exposition and other celebrations), for the period beginning February 1, 1935, and ending December 31, 1936; providing that this Act shall supplement the Act passed by the Second Called Session of the Forty-third Legislature creating the Texas Centennial Commission, and that this Act repeals such parts of said former Act as are in direct conflict with it; providing for Centennial celebration in Texas during 1936 at historical places to be determined by Texas Centennial Commission; defining "celebration," thereby indicating modes of such celebrations; creating Advisory Board of Texas Historians; prescribing said Board's duties; specifying factors which Texas Centennial Commission shall consider in deciding where celebrations shall be held; empowering Texas Centennial Commission with final decision as to such celebrations and expenditures therefor; allocating said appropriation in specific sums to the erection of buildings on Centennial Central Exposition site and to equipping such buildings and to other celebrations authorized by Texas Centennial Commission and to general administrative expenses and to a national advertising campaign; and directing the expenditure of such allocated sums; providing the erection of permanent buildings costing in excess of Fifty Thousand Dollars (\$50,000) each on lands not owned by the State of Texas; providing for erection of such buildings from such appropriation on the Centennial Exposition site in Dallas and for the equipping of the Texas Memorial Museum on the campus of the

University of Texas and authorizing the Regents of the University of Texas to expend the funds so allocated; and for free occupancy of such buildings during the Central Exposition, a corporation, and Texas Centennial Commission, leasing such buildings and their sites to the City of Dallas for twenty (20) years; specifying rental therefor and repealing use of such building during such lease for public purposes including annual State Expositions, and providing that during such lease exhibit space therein and admission thereto shall be free; providing for insurance and maintenance of said buildings and payment therefor; providing when the moneys herein appropriated shall be available; providing that Texas labor and materials shall be used and there shall be no discrimination against other cities in favor of Dallas; nothing shall repeal existing legislation requiring repayment of One Hundred Thousand Dollars (\$100,000) heretofore appropriated for the use of the Centennial Commission; that the provisions of Chapter 45 Acts of the Regular Session of the Forty-third Legislature shall apply to wages paid for construction made in the use of funds appropriated; that no person shall receive out of State funds a salary or commission or other compensation of more than Five Thousand Dollars (\$5,000) per annum; that no member of the Commission shall receive any fee, commission, retainer or brokerage out of any fund or funds received by that Commission or shall have any interest in any land, concession or contract sold to or made with the Commission; providing a penalty for violation of this Section; that all titles to land acquired by the State shall be approved by the Attorney General; that all contracts involving Fifty Thousand Dollars (\$50,000) or more shall be let by the Board of Control; providing that fifty (50) per cent of the net profits received from all sources shall be paid into the Treasury of the State of Texas; providing for the drawing of funds expended under this Act on warrants as provided by law; providing that if any section of

this Act, or any provision thereof, be held invalid, it shall not affect the remaining sections or provisions and declaring an emergency.
HILL.

Read.

Senator Oneal sent up the following substitute to the amendment by Senator Hill:

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of Three Million Dollars (\$3,000,000.00) be and the same is hereby appropriated out of the General Revenue Fund of the State of Texas not otherwise appropriated for the establishment, operation and maintenance of the Texas Centennial celebrations as hereinafter described and defined (all such celebrations to be held during the Centennial year 1936) during the period beginning February 1, 1935, and ending December 31, 1936. In no event shall the funds herein provided be available unless and until the Commission of Control for Centennial Celebrations (hereinafter provided) has filed with the Comptroller of the State of Texas a resolution approving the plans of the Texas Centennial Central Exposition for the central celebration at Dallas, and certifying further that said Central Exposition has the ability and intention in good faith to carry out said plans.

Sec. 2. This Act shall be supplemental to the Act passed by the Second Called Session of the Forty-third Legislature, creating a Texas Centennial Commission and cumulative thereof, except that such parts of this Act as are in direct conflict with said creating Act shall hereby specifically repeal and supersede such conflicting parts of said creating Act. Provided this Act does not repeal the requirement in Second Called Session, Forty-third Legislature, requiring the Centennial Commission to repay to the State of Texas the One Hundred Thousand Dollars (\$100,000.00) appropriated in creating said Commission. Provided, however, that immediately upon the taking effect of this Act, the Board of Control of the State of Texas shall cause to be made an audit of the expenditures of the Centennial Commission out of the afore-

said One Hundred Thousand Dollars (\$100,000.00) and the unexpended portions of said funds are hereby appropriated to the said Board of Control as an expense fund for the administration of the duties hereinafter imposed on said Board of Control by this Act; and such funds as are hereby made available for the said Board of Control for such purposes shall be a repayment to that extent of the said One Hundred Thousand Dollars (\$100,000.00).

Sec. 3. Centennial celebrations shall be held at such places as said Commission of Control for Centennial Celebrations shall determine; the authority to make such determination being hereby delegated to said Commission. Said Commission, in passing upon the application of any locality for a celebration, shall take into consideration whether such locality has such historical significance as will justify the holding of such celebration, and also such locality's accessibility and local facilities and financial ability to contribute local funds. Within the term "celebration" as used in this Act with reference to all places except the City of Dallas, is included the following: the placing of suitable markers at places where historic events occurred; the restoring at no great expense of all of parts of old houses, forts, and other old structures connected with the history of the territory now embraced within the State of Texas; the placing of monuments to early patriots of Texas if such monuments have not heretofore been erected; the purchasing at no great expense of small tracts of land where necessary for the restorations hereinafter mentioned, or for the monuments mentioned; and the staging of pageants at appropriate places; the recognition of the basic industries and their historical significance in the progress and growth of Texas; provided that in the matter of celebrations as herein defined above the said Commission may require a contribution by each local community which may be substantial and proportionate to the amount allowed by the Commission; provided further that in requiring such contributions in the matter of celebrations the said Commission may take into consideration the amounts already ex-

pended by each local community in preserving their historical spots and facilities for such celebrations. Provided, however, that the Commission shall not have authority to compel contributions or matching of funds for historical celebrations and markings in counties containing no city of more than 25,000 population. Provided, further, however, that the Commission may accept contributions from any community.

Sec. 4. There is hereby created a Commission of Control for Centennial Celebrations to be composed of seven (7) members, of which the Lieutenant Governor of the State of Texas shall be a member and chairman. Of the remaining six (6) members, the Governor of the State of Texas shall appoint two, the Lieutenant Governor two and the Speaker of the House of Representatives two, all of whom shall be confirmed by a vote of two-thirds (2/3) of the Senate present. Their duties shall be to generally supervise and approve the Centennial celebrations as herein provided and to perform such other acts as in this Act provided.

Sec. 5. There is hereby created an Advisory Board of Texas Historians to be selected by the Commission of Control, consisting of three (3) members, whose duty it shall be to investigate and report upon and make recommendations to the said Commission of Control as to the authenticity of the claims for Centennial celebrations, as that term is hereinbefore defined, of the various places which shall apply to said Commission therefor, and as to the relative merits of such claims, and as to the kind and character of celebration, as that term is hereinbefore defined, if any, to which each such place so applying should be entitled, and as to the advisability of all the various expenditures proposed by said applicant or contemplated by said Commission of Control. In all cases the Commission of Control shall have final decision and jurisdiction in the matter of the above celebrations and observances and the expenditures relative thereto. The Advisory Board of Historians shall receive and consider every application made for a celebration and must seek the advice and cooperation of the local Centennial Advisory

Board of the county from which application is made. It shall be the duty of the Advisory Board of Texas Historians after investigation to make a written report and recommendation upon each application to the Commission of Control for Centennial celebrations. Duplicate copies of these reports shall be filed in the office of the Secretary of State and shall be open during office hours for public inspection.

The Advisory Board of Texas Historians shall receive no compensation. It shall have its headquarters in Austin, Texas, and its reasonably necessary expenses incurred in the performance of its duties shall be authorized and paid by the Commission of Control.

Sec. 6. There is hereby created an Advisory Board for Advertising, which shall consist of three (3) members to be appointed by the Commission of Control. The members of said Advertising Board shall be men of experience and training in various fields of State and National publicity and advertising. It shall be the duty of said Advertising Board to formulate a program of State and National publicity and advertising and recommend in writing the same to the Commission of Control. The Advisory Board of Advertising shall receive no compensation. Its reasonably necessary expenses incurred in the performance of its duties shall be authorized and paid by the Commission of Control.

Sec. 7. The Legislature of the State of Texas hereby allocates the money herein appropriated in the following manner:

(1) The sum of One Million (\$1,000,000.00), or so much thereof as may be necessary, shall be used for the erection of specific buildings upon the site of the Centennial Central Exposition in the City of Dallas; provided, that the construction and work shall be done with Texas artisans and laborers and of Texas materials, as far as practicable; and that the other cities of Texas shall not be discriminated against in favor of Dallas.

(2) The sum of Two Hundred Thousand Dollars (\$200,000.00) out of the total appropriation hereby made for the Texas Centennial, or so much thereof as may be necessary,

is hereby appropriated and allocated to the planning, equipping and organization and management from the date this Act becomes effective (including the securing of materials, exhibits, funds and gifts from public and private agencies, individuals, patriotic and other organizations) of the Texas Memorial Museum, as a part of the Texas Centennial Celebration, funds for the constructions of which are to be donated by individuals, public and private agencies, and by the American Legion of Texas Centennial Committee of the State of Texas as sponsors, which museum building is to cost Seven Hundred and Fifty Thousand Dollars (\$750,000.00) when completed. Said museum building is to be located on the campus of the University of Texas in the City of Austin, and the Board of Regents of the University of Texas is hereby constituted the board of directors of the museum, and as such shall have complete authority over the museum, including the expenditure of the sum herein appropriated and allocated for the purposes above mentioned. Provided, however, this expenditure shall be on vouchers properly approved by the Chairman of the Board of Regents and attested by the Secretary of said Board and shall be in accordance with the general provisions of law covering the issuance and payment of vouchers by the Comptroller and Treasurer, respectively, of the State of Texas.

(3) The sum of Five Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be necessary, shall be used to conduct a State and National publicity and advertising campaign in behalf of all of Texas relative to said Centennial during the period beginning February 1, 1935, and ending December 31, 1936. No part of the funds herein appropriated shall be expended for salary or expenses, directly or otherwise, for envoys outside of Continental North America.

(4) The sum of One Million Three Hundred Thousand Dollars (\$1,300,000.00) or so much thereof as may be necessary, shall be used by the Commission of Control to defray the expenses, or the portion thereof above the amount paid by local funds, of Centennial celebrations, as

that term is hereinbefore broadly defined, outside of the City of Dallas and within the State of Texas. It is further provided herein that the Commission of Control is hereby directed to expend an appropriate amount of the sum herein appropriated for the purposes of erecting at some suitable place in Texas to be selected by the Commission, a memorial to the pioneer womanhood of this State, same to be paid out of the aforementioned fund. It is further provided that the Commission of Control is hereby directed to expend an appropriate amount of the sum herein appropriated to be used for the purpose of having written an authoritative history of Texas and a "Dictionary of Texas Biography" and other historical writings.

(5) The Commission of Control is directed to expend an appropriate amount of the sum herein appropriated for the purpose of furnishing and equipping the buildings heretofore provided to be erected upon the Centennial Central Exposition site in the City of Dallas; provided, however, that such amount shall in no event exceed Two Hundred Thousand Dollars (\$200,000.00).

(6) After the Commission of Control has authorized an expenditure out of funds herein allocated by this section, the said allocation by the said Commission shall include any and all expenses of whatsoever nature involved in the particular celebration for which the allocation is made.

Sec. 8. No part of any one of the allocations of said funds as provided in this Act shall at any time be used for the purposes of any other one or more of said funds.

Sec. 9. On all buildings or projects constructed with funds appropriated by this Act the provisions of Chapter 45, Acts of the Regular Session of the Forty-third Legislature, shall apply to wages paid.

Sec. 10. No person shall receive as salary, commission or compensation out of said State funds herein appropriated more than Five Thousand Dollars (\$5,000.00) per year.

Sec. 11. The Commission of Control and the Board of Control of the State of Texas are hereby prohibited from contracting for the purchase or acquirement by lease or otherwise of

real estate unless and until the deeds, records and all other necessary legal documents incident thereto have been approved by the Attorney General of the State of Texas, as now provided by law.

Sec. 12. All expenditures and contracts authorized by the Commission of Control shall be made, let, supervised and expended by the Board of Control of the State of Texas, according to all legal requirements now provided as to the expenditure of funds and the letting of contracts by said Board of Control.

Sec. 13. All permanent buildings to be erected in the City of Dallas for the Central Exposition erected out of funds hereby appropriated shall be upon the site of the Centennial Central Exposition in the City of Dallas on land, the title to which shall be in the State of Texas. The Texas Centennial Central Exposition shall have the right to, possession of, and the free use and occupancy of the said buildings for the duration of the Central Exposition. Provided, however, that the aforesaid buildings and the land on which they will be situated are hereby leased by the State of Texas, to the City of Dallas, for a period of twenty (20) years, commencing at the termination of the Central Exposition, at a rental of One Hundred Dollars (\$100.00) per year for each of said buildings, payable annually in advance. During the term of such lease said buildings shall be used for public purposes, including annual State Expositions, and shall not be maintained or operated for purposes of profit; there shall be no charge imposed upon any exhibitor in any of said buildings for exhibit space, and there shall be no admission charge for spectators. The cost of an adequate amount of fire and tornado insurance covering said buildings, and the reasonable cost of maintenance of said buildings, shall be paid by the State Centennial Central Exposition, a corporation, until the termination of said Central Exposition. From and after that date the cost of such insurance and such maintenance shall be borne by the aforesaid lessee, being the City of Dallas.

Sec. 14. It shall be unlawful for any member of the Centennial Commission, the Commission of Control

or any member of any Advisory Board provided for herein to charge, receive or obtain, directly or indirectly, any fee, commission, retainer, or brokerage, out of any fund or funds hereby appropriated; and no member of the Centennial Commission, the Commission of Control or any Advisory Board provided for herein, shall have any interest in any land, materials, concessions or contracts sold to or made with either the Centennial Commission, the Commission of Control, or the Centennial Commission Advisory Board, or any individual or committee represented by any member of said Centennial Commission, Commission of Control or Advisory Board. Violation of this provision shall be a misdemeanor, and violation thereof shall be punishable by removal from such Commission, Commission of Control or Advisory Board and by fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or by confinement in the county jail for any time not more than six (6) months, or by both such fine and jail sentence.

Sec. 15. All funds expended under this Act shall be drawn from the Treasury of the State of Texas by warrants properly signed by the Comptroller of Public Accounts and the Treasurer of the State, as is now provided by law.

Sec. 16. Fifty per cent (50%) of the net receipts received from all sources by the Texas Centennial Central Exposition at Dallas after paying all debts of said exposition, including the corporation bond issue which shall never exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00), as is now provided in the corporation's Trust Indenture shall be paid into the Treasury of the State of Texas for the benefit of the General Fund; said payment into the State Treasury shall be made within six (6) months after the official closing of the Central Exposition at Dallas. By net receipts is meant all profits arising from admissions, concessions, privileges, rentals, leases, and any and all other sources from which any funds may be derived. The said Central Exposition Corporation shall keep an accurate record of all receipts received as a result of said Centennial celebration and of all expenditures, and within six (6)

months from the official closing of said exposition said corporation shall cause to be furnished and filed with the Treasurer of the State of Texas a certified public audit showing the complete condition of the affairs of said corporation; and said report shall be accompanied by a certified check for an amount equal to fifty per cent (50%) of the net profits.

Sec. 17. The Commission of Control for Centennial Celebrations is hereby authorized and directed immediately after the passage of this Act to make formal application for the participation of the Federal Government in the Texas Centennial Celebrations through proper channels and for adequate appropriation or allocation of Federal funds for that purpose. Any funds so received, unless otherwise directed by the Federal Government, shall be under the direction and control of the said Centennial Commission of Control.

Sec. 18. It is understood and expressly provided that should any section, clause, or provision of this Act be hereafter held invalid for any reason, such invalidity shall not in any way affect any other provision of this Act.

Sec. 19. The fact that a very brief time now remains to prepare for the holding of a Texas Centennial celebration on a scale commensurate with the glorious history of our State, the patriotism of our people, and the progress of the past century, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House and the constitutional rule requiring bills to take effect and go into force ninety days after adjournment of the session, be suspended, and said rules are hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

ONEAL.

Read.

Senator Woodruff received unanimous consent to make a privileged motion.

Motion to Order Previous Question.

Senator Woodruff moved that the previous question be ordered on the substitute and the amendment.

The motion was seconded by the required number.

Point of Order

Senator DeBerry raised the point of order that the Senator from Wise was out of order in making the motion as the Secretary was reading the amendment and could not be interrupted for a motion.

The Chair sustained the point of order.

The Secretary continued with the reading of the amendment by Senator ONeal.

Senator ONeal asked unanimous consent to change the wording in subdivision 5 of Section 7.

There was objection.

Senator ONeal sent up the following amendment:

Amend the ONeal substitute, Section 7 subdivision 5 by adding at the end thereof the following:

"Such sum to be paid out of the appropriations heretofore made in subdivision 4, of this section."

ONEAL.

Read and pending.

Motion to Recess.

Senator Hornsby, at 12:01 o'clock p. m., moved that the Senate recess until 2 p. m.

Motion to recess pending.

Motion to Suspend Rule.

Senator Moore moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—26.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hornsby.	Stone.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Hopkins.
Fellbaum.	Sulak.

Senate Bill No. 477.

By Senator Moore:

S. B. No. 477, A bill to be entitled "An Act amending Article 2982, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Substitute Motion to Recess.

Senator Redditt moved as a substitute that the Senate recess until 7:30 o'clock p. m.

The substitute motion lost by the following vote:

Yeas—13.

Beck.	Rawlings.
Burns.	Redditt.
Cotten.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Martin.	Stone.
Moore.	

Nays—13.

Collie.	Pace.
Davis.	Poage.
DeBerry.	Regan.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent—Excused.

Blackert.	Hopkins.
Fellbaum.	Sulak.

The Chair voting "nay" on substitute motion.

Recess.

The motion to recess prevailed by viva voce vote.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

At Ease.

On motion of Senator Shivers, the Senate stood at ease for ten minutes.

Senate Called to Order.

The Senate was called to order at 2:10 p. m.

Point of No Quorum.

There being no quorum present,

Senator Moore moved that a call of the Senate be made to procure a quorum.

The motion was seconded.

Call of The Senate.

The Chair instructed the Sergeant-at-Arms to bring in the absent Senators, to procure a quorum.

The roll call disclosed a quorum present at 2:15 o'clock.

Senate Bill No. 478.

Senator Small received unanimous consent to send up the following local bill:

By Senator Small:

S. B. No. 478, A bill to be entitled "An Act changing the time of holding the terms of the District Court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district, together with jurors heretofore selected are valid and returnable to the first term of such court after this Act takes effect; and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the end of their terms; repealing all conflicting laws; fixing the effective date of the Act, and declaring an emergency."

Read and referred to the Committee on Judicial Districts.

House Bill No. 11.

The pending amendment by Senator Oneal to pending substitute was adopted by viva voce vote.

Senator Rawlings sent up the following amendment:

Amend by striking out words and figures Three Million Dollars and inserting in lieu thereof Three Million and Two Hundred and Fifty Thousand Dollars.

RAWLINGS.

Read.
Pending.

House Bill No. 404.

Conference committee appointed.

The Chair appointed the following Senator as conferees on the part of the Senate on H. B. No. 404:

Senators Collie, Holbrook, Van Zandt, Poage, and Davis.

House Bill No. 763.

Senator Poage moved that the Senate grant the request of the House for the appointment of a conference committee to adjust the differences between the two Houses on H. B. No. 763.

The motion prevailed by viva voce vote.

Bill Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 637.

Resolution Referred.

H. C. R. No. 66, was referred to the Committee on State Affairs.

Senator Excused.

Senator Blackert was excused on account of sickness on motion of Senator Cotten.

Messages from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, March 29, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. B. No. 637 by a vote of 115 yeas and 1 nay.

The House refused to concur in Senate amendments to H. B. No. 763, and has requested the appointment of a conference committee to consider the differences between the two houses. The following conferees are appointed on the part of the House:

Beck, Good, Moffett, Alsup and McFarland.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 1, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the Conference Committee on H. B. No. 404 reported to the House that the committee had been unable to agree and recommended that a new conference committee be appointed. The report was adopted by a viva voce vote. The following are the new conferees on H. B. No. 404 on part of the House:

Duvall, Stanfield, Hankamer, Howard and Roark.

Respectfully submitted,
LOUISE SNOW PHINNEY,
 Chief Clerk, House of Representatives.

Hall of the House of Representatives,
 Austin, Texas, April 1, 1935.
 Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 66, Setting the date for the sine die adjournment of the Regular Session of the Forty-fourth Legislature for Tuesday, May 7, 1935, at 12 o'clock noon.

The House has concurred in Senate amendments to H. B. No. 547 by a vote of 108 yeas and 24 nays.

Respectfully submitted,
LOUISE SNOW PHINNEY,
 Chief Clerk, House of Representatives.

House Bill No. 11.

Motion for Previous Question.

Senator DeBerry moved that the previous question be ordered on the Rawlings amendment, the Hill amendment and the Oneal substitute and all pending amendments.

The motion was seconded.

The motion lost by the following vote:

Yeas—9.

Davis.	Hornsby.
DeBerry.	Pace.
Duggan.	Van Zandt.
Hill.	Woodruff.
Holbrook.	

Nays—13.

Burns.	Regan.
Collie.	Sanderford.
Hopkins.	Shivers.
Moore.	Small.
Poage.	Stone.
Rawlings.	Sulak.
Redditt.	

Present—Not Voting.

Cotten.	Westerfeld.
Oneal.	

Absent.

Beck.	Neal.
Martin.	

Absent—Excused.

Blackert.	Fellbaum.
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Motion to Recess.

Senator Hill moved that the Senate recess until 8 o'clock tonight.

The motion to recess lost by viva voce vote.

House Bill No. 11.

Senator Woodruff was recognized to discuss the amendment by Senator Rawlings.

Motion to Table.

Senator DeBerry moved to table the pending amendment by Senator Rawlings.

The motion to table prevailed by the following vote:

Yeas—15.

Collie.	Martin.
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Poage.
Duggan.	Sulak.
Hill.	Van Zandt.
Holbrook.	Woodruff.
Hornsby.	

Nays—10.

Beck.	Redditt.
Burns.	Regan.
Hopkins.	Sanderford.
Moore.	Small.
Rawlings.	Stone.

Present—Not Voting.

Westerfeld.

Absent.

Pace.	Shivers.
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Absent—Excused.

Blackert.	Fellbaum.
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Senator Moore sent up the following amendment:

Amend Oneal substitute by adding

a new section, to be known as "Section 4a" and reading as follows:

"Section 4a. Out of the \$1,300,000.00 appropriated in Section 4 hereof, the sum of \$300,000 shall be expended for the erection of a suitable and permanent memorial at the San Jacinto Battlefield."

MOORE,
BURNS.

Read.
Pending.

Senator Moore had the floor on discussion of his amendment.

Senator DeBerry requested Senator Moore to yield.

Senator Moore declined to yield.

Privileged Motion.

Senator DeBerry was recognized for a privileged motion.

Motion for Previous Question.

Senator DeBerry moved that the previous question be ordered on the Moore amendment, the Hill amendment, and the Oneal substitute.

The motion was seconded by the required number.

The motion lost by the following vote:

Yeas—12.

Davis.	Neal.
DeBerry.	Pace.
Duggan.	Small.
Hill.	Sulak.
Holbrook.	Van Zandt.
Hornsby.	Woodruff.

Nays—13.

Beck.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Hopkins.	Sanderford.
Martin.	Stone.
Moore.	

Present—Not Voting.

Oneal.	Westerfeld.
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Absent.

Shivers.

Absent—Excused.

Blackert.	Fellbaum.
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House Bill No. 11.

The question recurred on the

pending amendment by Senator Moore.

The amendment failed of adoption by the following vote:

Yeas—8.

Beck.	Regan.
Burns.	Sanderford.
Moore.	Shivers.
Redditt.	Small.

Nays—18.

Collie.	Martin.
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Hill.	Sulak.
Holbrook.	Van Zandt.
Hopkins.	Westerfeld.
Hornsby.	Woodruff.

Present—Not Voting.

Rawlings.	Stone.
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Absent—Excused.

Blackert.	Fellbaum.
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House Bill No. 327.

Request to Set for Special Order.

Senator Woodruff asked unanimous consent that H. B. No. 327 be set for special order Thursday at 11 o'clock a. m.

Point of Order.

Senator Burns raised the point of order that the motion was out of order as the bill had not been reported back to the Senate, from the committee to which it was referred.

The Chair, President Pro Tem. K. M. Regan sustained the point of order.

Motion to Recess.

Senator Shivers at 3:57 o'clock p. m., moved that the Senate recess until 10 o'clock a. m., Tuesday.

The motion to recess lost by viva voce vote.

House Bill No. 11.

Pending business was the Oneal substitute to H. B. No. 11.

Motion to Table.

Senator Sanderford moved to

table the substitute by Senator Oneal.

The motion to table the substitute by Senator Oneal lost by the following vote:

Yeas—8.

Beck.	Sanderford.
Burns.	Shivers.
Hill.	Sulak.
Moore.	Van Zandt.

Nays—19.

Collie.	Pace.
Cotten.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent.

Davis.

Absent—Excused.

Blackert. Fellbaum.

Senator Woodruff sent up the following amendment to the substitute:

Amend H. B. 11 by striking out all of Section 4, as amended, and substituting therefor the following:

Sec. 4. There is hereby created a Commission of Control for Centennial Celebrations to be composed of the Chairman of The Historical Authority, Chairman of The Texas Centennial Commission, and seven (7) members of The Texas Centennial Commission to be designated by the Governor of this State. The said Commission of Control shall designate one member to be chairman. Their duties shall be to supervise and approve the Centennial celebrations as herein provided and to perform such other acts as in this Act provided.

WOODRUFF.

Read.

Senator Sanderford sent up the following amendment:

Amend Woodruff amendment by striking out the words "(7) members of the Centennial Commission" and inserting in lieu thereof "the Executive Committee of the Centennial Commission and to be known as

the Control Committee for the Centennial Celebration."

SANDERFORD.

Read.

The amendment by Senator Sanderford was adopted by the following vote:

Yeas—18.

Beck.	Regan.
Burns.	Sanderford.
Collie.	Shivers.
Duggan.	Small.
Hill.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Rawlings.	Woodruff.

Nays—10.

Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Pace.
Holbrook.	Poage.
Moore.	Redditt.

Absent—Excused.

Blackert. Fellbaum.

The amendment by Senator Woodruff, as amended, failed of adoption by the following vote:

Yeas—11.

Beck.	Shivers.
Burns.	Stone.
Cotten.	Sulak.
Hopkins.	Van Zandt.
Martin.	Woodruff.
Sanderford.	

Nays—17.

Collie.	Oneal.
Davis.	Pace.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hornsby.	Small.
Moore.	Westerfeld.
Neal.	

Absent—Excused.

Blackert. Fellbaum.

Senator Woodruff sent up the following amendment:

Amend H. B. 11 by striking out Section 6 and insert in lieu thereof the following:

Sec. 6. The Commission of Control for Centennial's Celebrations shall formulate a program of State and National publicity and advertising, and for such purpose may employ the services of such technical experts in the field of publicity and advertising as it shall deem necessary.

WOODRUFF.

Read and pending.

Motion to Recess.

Senator Sanderford at 4:59 o'clock p. m., moved that the Senate recess until 8:00 o'clock tonight.

The motion prevailed by viva voce vote.

After Recess.

The Senate met at 8:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

Senate Bill No. 86.

Senator Beck was recognized to explain S. B. No. 86.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Beck, Redditt, Martin, Poage, and Woodruff:

S. B. No. 86, A bill to be entitled "An Act providing for the taking of the school census of Texas upon prescribed forms by census trustees for the year 1935-36 and providing that said census shall be added to and deducted from by the names of children who have moved in and are born into the different communities of Texas and deducting therefrom names of children who have moved out or who have died in said communities in Texas; and declaring an emergency."

Senator Beck sent up the following amendments:

Amendment No. 1.

Amend S. B. No. 86 by striking out all of Sec. — on page 5, beginning with line 39, to and including line 49, and inserting in lieu thereof the following:

"That the county clerk of each county in Texas shall annually, on or before the 1st day of June each year, file with the County Superintendent a true and accurate copy

of each birth and death certificate filed with him, as required under Art. 4477, Revised Civil Statutes, as amended. The State Registrar of Vital Statistics shall annually, on or before the 1st day of June each year, file with the State Superintendent of Public Instruction a true and accurate copy of birth and death certificates filed by each local registrar in the State. And providing further that any person may report a birth or death which occurs in the State of Texas, provided that said report has not been made within a period of thirty days following said birth or death. Said person shall be entitled to a fee of fifty cents, payable from the state available school fund, but in event such fee is paid, there shall be filed with the county attorney by information, in the county where said birth occurs, a complaint charging the person who failed to make said required report of such birth or death; and said failure to make said report shall be a misdemeanor and shall be punished by a fine not to exceed Ten Dollars and costs of prosecution, provided that the fees prescribed in this section shall not apply to the reporting of persons over twenty-two years of age."

BECK.

Read and adopted.

Amendment No. 2.

Amend S. B. No. 86 by striking out line 38, page 1, and numbering the sections consecutively.

BECK.

Read and adopted.

Amendment No. 3.

Amend S. B. No. 86 by adding the following:

"That because of the fact of the tremendous amount of detailed work necessary to be done and the preparation of efficiently accumulating accurate census data for the continuing census creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each House be and the same is hereby suspended, and this Act shall be effective immediately from and after its passage, and it is so enacted."

And amend caption to conform to the body of the bill.

BECK.

Read and adopted.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 86 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Present—Not Voting.

DeBerry.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Present—Not Voting.

DeBerry.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 248.

Senator Burns received unanimous consent to call from the table S. B. No. 248.

By Senator Burns:

S. B. No. 248, A bill to be entitled "An Act creating the Special Ninth District Court of Montgomery County, Waller County, Polk County, and San Jacinto County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; and declaring an emergency."

Senator Burns sent up the following amendment:

Amend S. B. No. 248 by striking out "Waller County" wherever it appears in S. B. No. 248, and by striking out the paragraph that fixes the term of court for Waller County, Texas.

BURNS.

Read and adopted.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator Burns, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 248 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Present—Not Voting.

DeBerry.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Hill.
Burns.	Holbrook.
Collie.	Hopkins.
Cotten.	Hornsby.
Davis.	Martin.
Duggan.	Moore

Neal.	Shivers.
Oneal.	Small.
Pace.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.

Nays—1.

DeBerry.

Present—Not Voting.

Poage.

Absent—Excused.

Blackert.

Fellbaum.

Senate Bill No. 358.

Senator Collie was recognized to explain S. B. No. 358.

By unanimous consent the Chair laid before the Senate on its second reading the following bill:

By Senator Collie:

S. B. No. 358, A bill to be entitled "An Act amending Article 4891 of the Revised Civil Statutes of 1925, as amended by the Acts of the First Called Session of the Forty-first Legislature, Chapter 37, page 84, so as to provide for the use of coinsurance clauses in windstorm, tornado or hail insurance without limitation or restriction except such as may be approved by the Board of Insurance Commissioners, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Collie, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 358 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Absent.

Moore.

Absent—Excused.

Blackert.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—22.

Beck.	Neal.
Burns.	Redditt.
Collie.	Regan.
Cotten.	Sanderford.
Davis.	Shivers.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Martin.	Woodruff.

Nays—5.

DeBerry.
Oneal.
Pace.

Poage.
Rawlings.

Absent.

Moore.

Absent—Excused.

Blackert.

Fellbaum.

Senate Bill No. 475.

Senator Cotten received unanimous consent to take up S. B. No. 475.

By Senator Cotten:

S. B. No. 475, A bill to be entitled "An Act creating the Special Third District Court of Anderson County, Henderson County and Houston County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms, and declaring an emergency."

On motion of Senator Cotten, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 475 was put on second reading by the following vote:

Yeas—28.

Beck.	Cotten.
Burns.	Davis.
Collie.	DeBerry.

Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Sulak.
Oneal.	Van Zandt.
Pace.	Westerfeld.
Poage.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Cotten, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 475 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Hill.
Burns.	Holbrook.
Collie.	Hopkins.
Cotten.	Hornsby.
Davis.	Martin.
DeBerry.	Moore.
Duggan.	Neal.

Oneal.	Small.
Pace.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.
Shivers.	

Nays—1.

Poage.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 167.

Senator Davis was recognized to take up and explain S. B. No. 167.

By unanimous consent the Chair laid before the Senate on its second reading the following bill:

By Senator Davis:

S. B. No. 167, A bill to be entitled "An Act amending Article 3780 of the Revised Civil Statutes of 1925; providing that where the execution requires that the judgment shall be made out of the property of the debtor, it may be issued in the first instance as well as subsequently to any county in the State, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 167 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Redditt.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 407.

Senator DeBerry was recognized to take up and explain S. B. No. 407.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator DeBerry:

S. B. No. 407, A bill to be entitled "An Act providing limiting the time within which ad valorem taxes may be collected by the State, any county, municipality, or other defined subdivision, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator DeBerry, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 407 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Regan.
DeBerry.	Redditt.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 459.

Senator Duggan called up S. B. No. 459.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Duggan:

S. B. No. 459, A bill to be entitled "An Act to amend Subdivision 64 of Article 199 of Title 8 of the Revised Civil Statutes of the State of Texas, 1925, to change and prescribe the terms and time of holding District Courts of the Sixty-fourth Judicial District of the State, composed of Hale, Lamb, Swisher, Castro, and Bailey Counties, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Duggan, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 459 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Hornsby.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.

Sanderford. Sulak.
Shivers. Van Zandt.
Small. Westerfeld.
Stone. Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 274.

Senator Duggan was recognized to explain S. B. No. 274.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Fellbaum:

S. B. No. 274. A bill to be entitled "An Act authorizing the State Board of Education to establish independent school districts upon any military reservations located within the State of Texas upon such terms and conditions which may be agreed upon by the State Board of Education and the military authorities; provided such districts may be entitled to enumerate its scholastics, to share in the State per capita apportionment; providing what children may attend such schools; and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Duggan, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 274 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 361.

Senator Hill was recognized to explain S. B. No. 361.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Redditt, Hill, Shivers, Pace, Burns, Hughston and Cotten: S. B. No. 361, A bill to be entitled "An Act creating 'Sabine-Neches Conservation District,' a conservation and reclamation district with the powers provided in Section 59 of Article 16 of the Constitution, to conserve, control and utilize the waters of the Sabine and Neches Rivers and their tributaries, including their storm and flood waters, except said district shall have no power of tax-

ation nor right to create any debt payable out of taxation; authorizing one or more districts created under Section 59 of Article 16 of the Constitution to coordinate their plans and to join plans for improvements; defining the boundaries thereof, providing for control through board of directors, their appointment, qualifications and tenure, their organization and powers; authorizing the board of directors to appoint a board of managing directors; and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 361 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Regan.
DeBerry.	Redditt.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Regan.
Davis.	Redditt.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 48.

Senator Holbrook called up S. B. No. 48 and explained the bill.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Holbrook:

S. B. No. 48, A bill to be entitled "An Act to amend Sections 2, 5, and 7 of Chapter 96 of the Acts of the Regular Session of the Forty-second Legislature so as to include agents of fidelity and surety companies in the definitions contained in said Act and to make the same apply to such agents and so as to redefine the term 'solicitor' as used in said Act and prescribing a solicitor's qualifications and so as to prohibit the licensing of an individual or firm to engage in the insurance business principally to handle business which he controls only through ownership, mortgage, or sale; and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 48 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 455.

Senator Hornsby was recognized to take up and explain S. B. No. 455.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 455, A bill to be entitled "An Act giving to the Fitzpatrick Construction Company permission to sue the State Highway Department of Texas, and the State of Texas, in an amount not to exceed four thousand six hundred thirty-five dollars and eleven cents (4,635.11) for an alleged breach of contract by said department; makin appropriation in said sum of four thousand six hundred thirty-five dollars and eleven cents (\$4,635.11) or so much thereof as may be necessary to pay any judgment as may be rendered by any court of competent jurisdiction in said cause against the State Highway Department; providing for said appropriation to be paid out of the State Highway Department funds; fixing venue of said suit against the State Highway Department and the State of Texas; providing for proper service in said suit; providing for a preamble setting forth the nature of the cause of action herein authorized; and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 455 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nay—1.

DeBerry.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 267.

Senator Moore called up S. B. No. 267.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 267, A bill to be entitled "An Act to amend Article 8161 of

the Revised Civil Statutes of the State of Texas, 1925, so as to provide that commissioners of drainage districts are authorized and required to build all necessary bridges and culverts across and over all canals, drains, ditches, laterals, and levees constructed by their districts whenever the same cross a State highway, county or public road; requiring and authorizing such commissioners to pay for the same out of the funds of said districts; authorizing such districts to thereafter, in whole or in part, defray the expenses of making the necessary repairs to such bridges and culverts, providing the issuance of requisitions and the method of making purchases of materials and supplies and awarding contracts, and the duties of the county auditor with respect thereto, and declaring an emergency."

Senator Moore sent up the following amendments:

Amend S. B. No. 267 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. The commissioners of drainage districts are authorized and required to build all necessary bridges and culverts across and over all canals, drains, ditches, laterals, and levees constructed hereunder whenever the same cross a county or public road, and such commissioners shall pay for the same out of the funds of their districts. Whenever such bridges and culverts are necessary across a State highway, drainage districts are hereby authorized and empowered, within the discretion of their governing bodies, to construct same or assist in the construction thereof. Provided, that after the construction of such bridges and culverts the commissioners of such districts may meet and defray the expenses of making any necessary and needed repairs thereto, or may join any county or other governmental agency or subdivision in meeting or defraying the expense incurred in making any necessary and needed repairs to any such bridges or culverts, and the expense incurred in such respect shall be paid out of the drainage funds of such districts.

Sec. 2. The commissioners of

such drainage districts are authorized, without the taking of bids in cases of emergency, to make purchases or contracts not to exceed the sum of fifty dollars (\$50.00) upon requisition signed by at least two of the commissioners of such drainage district. A requisition shall be issued therefor, executed in triplicate, one copy to be delivered to the person, firm or corporation from whom such purchase is made or with whom such contract is made, one to be delivered to the county auditor and one to remain on file with the commissioners of such drainage district before any such purchase or contract shall be made.

Sec. 3. Where the amount to be expended is five hundred dollars (\$500.00) or less, and more than fifty dollars (\$50.00), it shall not be necessary to advertise for sealed bids, but sealed proposals shall be asked from as many as three persons, firms or corporations and as many more as offer to bid, based upon written specifications filed with the county auditor at least forty-eight (48) hours before the time of opening said bids. The contract shall be awarded by commissioners of said drainage district to the lowest and best bidder. A requisition shall be issued by at least two of such drainage commissioners to the contractor, and a copy thereof filed with the county auditor before the contract is executed or the supplies furnished.

Sec. 4. Where the amount to be expended exceeds five hundred dollars (\$500.00), specifications covering the material or supplies to be purchased or the work to be performed shall be prepared and filed with the county auditor, who shall advertise for bids once each week for two consecutive weeks in a newspaper published in the county in which such drainage district is located, stating the time and place of opening bids and where specifications may be obtained. Bids shall be accompanied by certified checks on a Texas bank for five per cent (5%) of the amount of the bid, conditioned that the successful bidder will enter into a bond and contract, said bond to be for a sum equal to the amount of the contract and to be executed by a surety company authorized to do business in Texas. Contracts shall

be awarded to the lowest and best bidders at an open meeting of the commissioners of said drainage district and shall be reduced to writing, and together with the bond and original bids shall be filed in the office of the county auditor as part of the records of his office. Before any supplies are furnished or delivered or any work performed, at least two of said drainage commissioners shall issue and file with the county auditor a requisition covering the contract or purchase before the same shall become effective or binding.

Sec. 5. In addition to the other requirements of this Act, no requisition shall be issued or contract approved under the provisions hereof unless and until the county auditor has endorsed thereon his certificate to the effect that the contract has been entered into or requisition authorized conformably to the law and that funds are available or will be available to meet the payment thereof when due.

Sec. 6. The provisions of this Act shall apply only to counties having a population in excess of 350,000 inhabitants, according to the last preceding or any future Federal census. Any laws conflicting with the provisions of this Act, to the extent and only to the extent of such conflict, are hereby repealed. This Act shall be known as "Article 8161a."

Sec. 7. The fact that the present law requires the commissioners of drainage districts to build bridges and culverts where the works of such districts cross roads and makes no provision for the subsequent maintenance of such bridges and culverts, and the fact that many bridges and culverts have been built under the authority of former laws and are now in a poor state of repair, and the commissioners of such districts are without authority to repair the same, constitute and create an emergency and an imperative public necessity, requiring that the constitutional rule providing for the reading of bills on three several days be suspended, and the same is hereby suspended, and this act shall be in full force and effect from and after its passage, and it is so enacted.

MOORE.

Read and adopted.

Amend by striking out all above

the enacting clause and insert in lieu thereof the following:

"Providing that Commissioners of Drainage Districts are authorized and required to build all necessary bridges and culverts across and over all canals, drains, ditches, laterals, and levees constructed by their districts whenever the same cross a county or public road; authorizing and empowering Drainage Districts to build bridges and culverts across State Highways; requiring and authorizing such commissioners to pay for the same out of the funds of said districts; authorizing such districts to thereafter, in whole or in part, defray the expenses of making the necessary repairs to such bridges and culverts, providing for the issuance of requisitions and the method of making purchases of materials and supplies and awarding contracts, and the duties of the county auditor with respect thereto; providing that this Act shall apply only to counties having a population of 350,000 or more inhabitants; repealing laws in conflict herewith; and declaring an emergency."

MOORE.

Read and adopted.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 267 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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House Bill No. 475.

Senator Neal called up and explained H. B. No. 475.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

H. B. No. 475, A bill to be entitled "An Act providing for payment of the salary of ex-officio superintendent of public instruction in all counties having not less than four thousand nine hundred and nineteen (4,919) and not more than four thousand nine hundred and twenty (4,920) population, according to the last preceding Federal census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senators Neal and Duggan sent up the following amendment.

Amend H. B. No. 475 by striking out Section 1 and inserting in lieu thereof the following:

Section 1. That the salary of County Superintendents of Public Instruction in all counties in Texas having not less than two thousand eight hundred and sixty five (2865) and not more than two thousand eight hundred and seventy (2870) population and in all counties in Texas having not less than three thousand eight hundred and fifty (3850) and not more than three thousand nine hundred (3900) population and in all counties in Texas having not less than four thousand nine hundred and fifteen (4915) and not more than four thousand nine hundred and twenty (4920) population, each according to the

last preceding Federal census shall be from and after the effective date of this Act shall be paid from the available school fund of this county.

NEAL.

Read and adopted.

"Amend the caption to conform."

NEAL.

Read and adopted.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading by viva voce vote.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 475 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—4.

DeBerry.	Oneal.
Hill.	Poage.
Absent—Excused.	
Blackert.	Fellbaum.

Senate Bill No. 396.

Senator Oneal was recognized to take up and explain S. B. No. 396.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Oneal:

S. B. No. 396, A bill to be entitled "An Act amending Chapter 204 of the Acts of the Regular Session, Forty-first Legislature, by adding to said Act another section to be known as Section 6-a, making it unlawful for any person, association or corporation to charge or receive compensation for the placement of a child under fifteen (15) years of age; defining certain exemptions; and providing for the enjoining of such person, association or corporation in a suit brought by the Attorney General, district or county attorney of any county in which said act or acts may occur, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 396 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote;

Yeas—28.

Beck.	Oneal.
Burns.	Face.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 260.

Senator Pace was recognized to take up and explain S. B. No. 260.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Pace:

S. B. No. 260, A bill to be entitled "An Act providing that the District Attorney of the Seventh Judicial District shall receive the same per diem for not to exceed sixty days in excess of the maximum number of days provided by the Acts of the Regular Session of the Forty-third Legislature, as he receives now under the provisions of said Acts; providing for additional allowance for expenses of said district attorney; making an appropriation and declaring an emergency."

(With a committee substitute.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee substitute was adopted.

The bill was read second time as substituted and passed to engrossment by viva voce vote.

On motion of Senator Pace the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 260 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Davis.
Burns.	DeBerry.
Collie.	Duggan.
Cotten.	Hill.

Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Sulak.
Pace.	Van Zandt.
Poage.	Westerfeld.
Rawlings.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 198.

Senator Poage was recognized to take up and explain S. B. No. 198.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Poage:

S. B. No. 198, A bill to be entitled "An Act providing for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs, and prescribing conditions constituting a lawful entry on private property to the owner of dogs, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 198 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—17.

Beck.	Pace.
Collie.	Poage.
Cotten.	Regan.
Duggan.	Small.
Holbrook.	Stone.
Hopkins.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—11.

Burns.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Hill.	Shivers.
Hornsby.	Sulak.
Moore.	

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 341.

Senator Rawlings was recognized to take up and explain S. B. No. 341.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Rawlings:

S. B. No. 341, A bill to be entitled "An Act providing that investigators appointed by district attorneys and criminal districts attorneys shall have the same authority as sheriffs to make arrests in the county where appointed; providing that such investigators shall have authority to serve warrants, capiases, subpoenas and all other processes in criminal

cases issued by any district court, county court or justice court in the State; providing that such investigators shall be under the sole authority and direction of said district attorneys and criminal district attorneys; providing that such investigators shall not draw fees for performing such duties; and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 341 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

Hill.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Holbrook.	Stone.
Hopkins.	Small.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

Hill.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 10.

Senator Redditt was recognized to call up and explain S. B. No. 10.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

S. B. No. 10, A bill to be entitled "An Act defining and regulating the practice of dentistry in the State of Texas; providing for the creation of the State Board of Dental Examiners and prescribing their powers and duties; providing for the examination and licensing of dentists and the recording of licenses issued to dentists and for the annual registration of licensed dentists, and declaring an emergency."

(With committee substitute.)

The committee substitute was adopted.

The bill was read second time as substituted and passed to engrossment by viva voce vote.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 10 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Cotten.
Burns.	Davis.
Collie.	DeBerry.

Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Sulak.
Oneal.	Van Zandt.
Pace.	Westerfeld.
Poage.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 169.

Senator Regan was recognized to take up and explain S. B. No. 169.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Regan:

S. B. No. 169, A bill to be entitled "An Act amending Subdivision 36 of Article 1302, Title 32, Chapter 1, of the Revised Civil Statutes of 1925, and amending Articles 1495 and 1496 of Title 32, Chapter 15, of the Revised Civil Statutes of 1925, so as to add, after the words 'mineral solutions,' in each of said articles, the words 'and liquefied minerals,' and amending Article 1505 of Title 32, Chapter 15, of the Revised Civil Statutes of 1925, so as to add, after the word 'salt' in such article, the words 'mineral solutions and liquefied minerals,' and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted by viva voce vote.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 169 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Hill.
Burns.	Holbrook.
Collie.	Hopkins.
Cotten.	Hornsby.
Davis.	Martin.
DeBerry.	Moore.
Duggan.	Neal.

Oneal.	Shivers.
Pace.	Small.
Poage.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 326.

Senator Sanderford was recognized to take up and explain S. B. No. 326.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Shivers:

S. B. No. 326, A bill to be entitled "An Act amending subdivision (b) of Section 11 of Chapter 116, Acts of the Forty-third Legislature, Regular Session, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Shivers the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 326 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Nays—2.

DeBerry.	Hill.
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Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 206.

Senator Small was recognized to take up and explain Senate Bill No. 206.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Small.

S. B. No. 206, A bill to be entitled "An Act authorizing the Commissioner of the General Land Office to accept, approve and file corrected field notes to any survey of land in Swisher County where said corrected field notes are made by a duly authorized official land surveyor and based upon the 'Hutchinson Iron

Pipe Survey'; authorizing the present owners of said surveys to purchase excess acreage revealed by said corrected field notes at a price of Two Dollars per acre; providing that said resurveys shall not shift the lines of any survey where the lines of said surveys have been fixed by a court decree or by contract in writing between the parties; providing that patents may be issued on said resurveys made in accordance with this act; providing that all patents so issued shall inure to the benefit of all holders of a portion of a survey, and that said patents shall not disturb the divisional or partitioning lines of surveys where said surveys are divided into smaller tracts, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 206 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Hill.
Burns.	Holbrook.
Collie.	Hopkins.
Cotten.	Hornsby.
Davis.	Martin.
DeBerry.	Moore.
Duggan.	Neal.

Oneal.	Shivers.
Pace.	Small.
Poage.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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House Bill No. 423.

Senator Stone was recognized to take up and explain House Bill No. 423.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

H. B. No. 423, A bill to be entitled "An Act amending H. B. No. 68, Chapter 19, page 29, Acts of the Fourth Called Session, Forty-first Legislature, 1930, providing an open season or a period of time when it shall be lawful to hunt, take, or kill wild mourning doves in North and South Zones with a special provision relating to the open season in Robertson County, Texas, as such zones are defined in Article 878 of the Revised Penal Code, as amended by Chapter 222, page 326, Acts of the Fortieth Legislature, Regular Session, and repealing any provisions of the law in conflict with this Act, making it unlawful to hunt, take, or kill wild mourning doves at any other time of the year; providing a penalty, and declaring an emergency."

The bill herewith attached is offered as a substitute for H. B. No. 423.

A BILL

To Be Entitled

An Act making it unlawful to take mourning doves or quail in Robertson, Limestone and certain other counties at any time other than during the period December 1st to January 16th; providing bag limits and weekly limits for such birds; providing a penalty; repealing all laws in conflict and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas.

Section 1. It shall be unlawful to take or kill any mourning doves or any quail in the counties of Limestone, Robertson, Washington, Burleson, Bastrop, Brazos, Milam, Lee,

Montgomery or Grimes at any time other than during the period December 1st to January 16th both days inclusive of any year.

Sec. 2. During such open season it shall be unlawful to take more than twelve (12) quail in any one day or more than fifteen (15) mourning doves or to take more than thirty-six (36) quail or more than forty-five (45) mourning doves in any seven day period, or to have in possession at any time more than the seven day limits.

Sec. 3. Any person violating any provision of this Act shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not less than Ten (\$10.00) Dollars nor more than Fifty (\$50.00) Dollars, and each bird taken or possessed in violation of any provision of this Act shall constitute a separate offense.

Sec. 4. All laws or parts of laws, general or special, in so far as they conflict with any of the provisions of this Act be and the same are hereby repealed.

Sec. 5. The fact that mourning doves and quail are taken in separate seasons in the counties to which this Act applies and that it is believed that the birds can be better protected and conserved during a concurrent season for the taking of such species, creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall be in force and effect from and after its passage, and it is so enacted.

STONE.

Read and adopted.

Amend substitute for House Bill No. 423 by adding in Section 1, following the word "Montgomery," the words "Fayette" and "San Jacinto."

SULAK.

Read and adopted.

Amend by changing caption to conform to bill.

STONE.

Read and adopted.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as substituted and amended and passed to third reading by viva voce vote.

On motion of Senator Stone the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 423 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 462.

Senator Van Zandt was recognized to take up and explain S. B. No. 462.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Van Zandt, Moore and Pace:

S. B. No. 462, A bill to be entitled

“An Act providing that it shall be unlawful for any person, firm or corporation to sell or to offer for sale, within the State of Texas, any goods, wares and/or merchandise manufactured, wholly or in part, by convicts or prisoners in penal and/or reformatory institutions except convicts or prisoners on parole or probation, providing exemptions, and providing penalties; and declaring an emergency.”

Senator Burns sent up the following amendment:

Amend S. B. No. 462, Section 3, Page 1. After the word manufactured line 31 “out of the State of Texas.”
BURNS.

Read and adopted.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator Van Zandt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 462 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Hopkins.
Burns.	Hornsby.
Collie.	Martin.
Cotten.	Moore.
Davis.	Neal.
DeBerry.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.

Redditt.	Stone.
Regan.	Sulak.
Sanderford.	Van Zandt.
Shivers.	Westerfeld.
Small.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 178.

Senator Westerfeld was recognized to take up and explain S. B. No. 178.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Westerfeld:

S. B. No. 178, A bill to be entitled "An Act supplementing and adding to Article 2700, Chapter 11, Revised Civil Statutes, 1925, certain provisions so as to provide for the election of the county superintendent of Dallas County, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee substitute as amended was adopted.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Westerfeld, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 178 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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S. C. R. No. 18.

Senator Woodruff was recognized to call up S. C. R. No. 18.

By unanimous consent, the Chair laid before the Senate on its second reading the following resolution:

By Senators Woodruff and Hornsby:

Relative to authorizing the Board of Control to dispose of certain documents now in its files.

Read and adopted by viva voce vote.

Senate Bill No. 143.

Senator Collie was recognized to take up and explain S. B. No. 143.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Hopkins, Stone, Martin, Hornsby, Fellbaum, Sulak, and Davis:

S. B. No. 143, A bill to be entitled "An Act prohibiting any owner or person having control of any horse, mule, donkey, cow, bull, steer, hog, sheep, goat or any other livestock from permitting or allowing the same to traverse or roam at large upon the right of way of any designated State highway of this State, where same is enclosed by fences, unattended, providing a penalty, and declaring an emergency."

Point of Order.

Senator Burns raised the point of order that the bill violated Section 23 of Article 16 of the Constitution. The Chair overruled the point of order.

The committee report recommending that the bill be printed was adopted by unanimous consent. The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Collie, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 143 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—4.

Burns.	Rawlings.
Hill.	Redditt.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—21.

Collie.	Poage.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—7.

Beck.	Pace.
Burns.	Rawlings.
DeBerry.	Redditt.
Hill.	

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 264.

Senator Beck was recognized to call up S. B. No. 264. Senator Oneal explained the bill.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Oneal:

S. B. No. 264, A bill to be entitled "An Act amending Section 7 of Chapter 98 of the Acts of the First Called Session, Forty-third Legislature, so as to provide for paying by lienholders to the person paying such taxes the taxes, cost and interest and receiving transfer to himself of the tax lien, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 264 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Duggan.
Burns.	Hill.
Collie.	Holbrook.
Cotten.	Hopkins.
Davis.	Hornsby.
DeBerry.	Martin.

Moore.	Sanderford.
Neal.	Shivers.
Oneal.	Small.
Pace.	Stone.
Poage.	Sulak.
Rawlings.	Van Zandt.
Redditt.	Westerfeld.
Regan.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 467.

Senator Burns was recognized to take up S. B. No. 467.

Senator Beck explained the bill.

The Chair laid before the Senate on its second reading the following bill:

By Senators Burns, Beck, Poage, Stone, Cotten, Hill, Holbrook, Redditt, Blackert, Sanderford, and Van Zandt:

S. B. No. 467, A bill to be entitled "An Act providing for the establishment of a tuberculosis sanatorium for negroes to be known as the State Tuberculosis Sanatorium for Negroes; providing for its location; the acquisition by the State of land therefor, and the approval of the title to the land; authorizing the State to accept donations for said purpose; prescribing the kind, character and capacity of buildings to be erected thereon; prescribing the rules and regulations governing the conduct and operation of said sanatorium, and governing the admission of patients thereto and their classification and care; and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Burns, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 467 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	DeBerry.
Burns.	Duggan.
Collie.	Hill.
Cotten.	Holbrook.
Davis.	Hopkins.

Hornsby.	Regan.
Martin.	Sanderford.
Moore.	Shivers.
Neal.	Small.
Oneal.	Stone.
Pace.	Sulak.
Poage.	Van Zandt.
Rawlings.	Westerfeld.
Redditt.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 52.

Senator Collie was recognized to take up and explain S. B. No. 52.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Collie, Oneal, Beck, and Rawlings:

S. B. No. 52, A bill to be entitled "An Act amending Article 590 of the Code of Criminal Procedure of the State of Texas, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Collie, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 52 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Shivers.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 441.

Senator Cotten was recognized to call up S. B. No. 441.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Cotten:

S. B. No. 441, A bill to be entitled "An Act amending Article 6643, Revised Civil Statutes of Texas, 1925, as amended, Acts 1927, Fortieth Legislature, page 83, Chapter 59, Section 1, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Cotten, the constitutional rule requiring bills to be read on three several days was

suspended and S. B. No. 441 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and laid on the table subject to call.

Motion to Recess.

Senator Woodruff at 10:00 o'clock p. m. moved to recess until 10:00 o'clock a. m. Tuesday.

The motion lost by viva voce vote.

House Bill No. 692.

Senator Davis was recognized to take up and explain H. B. No. 692.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

H. B. No. 692, A bill to be entitled "An Act declaring it to be unlawful to sell, barter, or exchange minnows in any county in the State of Texas outside of the county or counties wherein such minnows are caught, seined, or taken; providing a penalty, and declaring an emergency."

(With committee amendment.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time as amended and passed to third reading by viva voce vote.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 692 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 447.

Senator DeBerry was recognized to take up and explain S. B. No. 447.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator DeBerry:

S. B. No. 447, A bill to be entitled "An Act to provide for certificates to be issued by the collector of taxes of the State or of any political subdivision in the State showing payment of taxes, and that same shall be conclusive evidence of such payment in the absence of fraud or collusion, and declaring an emergency."

Read second time and laid on the table subject to call.

Senate Bill No. 290.

Senator Hill was recognized to take up and explain S. B. No. 290.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Hill:

S. B. No. 290, A bill to be entitled "An Act requiring fee officers collecting fees in criminal cases to give official receipts for all moneys collected in official capacities; providing the manner and method of handling same; providing a penalty for failure to comply herewith, and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 290 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 47.

Senator Holbrook was recognized to take up and explain S. B. No. 47.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Holbrook:

S. B. No. 47, A bill to be entitled "An Act amending Article 4894 of the Revised Civil Statutes of 1925, so as to prohibit the reinsuring of the liability of a company not licensed to transact business in the State of Texas by a company licensed to transact business in the State of Texas, and declaring an emergency." (With committee amendment.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 47 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Cotten.
Collie.	Davis.

DeBerry.	Pace.
Duggan.	Poage.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Shivers.
Hornsby.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Woodruff.

Nays—4.

Burns.	Sanderford.
Rawlings.	Westerfeld.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 126.

Senator Hornsby was recognized to take up and explain S. B. No. 126.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 126, A bill to be entitled "An Act to amend Article 1006, Code of Criminal Procedure of Texas, 1925, providing for the compensation of an officer or person executing a fugitive warrant beyond the limits of the State of Texas; repealing all laws in conflict herewith, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 126 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 268.

Senator Moore was recognized to explain S. B. No. 268.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 268, A bill to be entitled "An Act to amend Article 8120 of the Revised Civil Statutes of the State of Texas, 1925, so as to provide a method for fixing the compensation of the commissioners of drainage districts, requiring reports from the commissioners of such drainage districts to the commissioners' courts of their counties setting forth what said reports shall contain and authorizing such commissioners' courts to audit and approve the same; authorizing commissioners' courts in all counties having a population of more than two hundred thousand (200,000) inhabitants, according to the last preceding or any future Federal census and having one or more drainage districts therein, to allow the commissioners of drainage districts in such counties additional compensation for the services of such commissioners, and permitting said commissioners' courts to compensate such commissioners for the use of automobiles under certain conditions and for certain periods, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 268 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 4.

Senator Neal was recognized to explain S. B. No. 4.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Neal and Westerfeld:
S. B. No. 4, A bill to be entitled "An Act authorizing municipalities, political subdivisions and taxing districts to proceed under the provisions of Federal bankruptcy laws enacted for the relief of such municipalities, political subdivisions and taxing districts; and declaring an emergency."

Read second time and laid on the table subject to call.

Senate Bill No. 241.

Senator Poage was recognized to explain S. B. No. 241.

The Chair laid before the Senate on its second reading the following bill:

By Senators Poage and Martin:

S. B. No. 241, A bill to be entitled "An Act to prohibit the inclusion of moisture or other foreign substance in the ginning and baling of cotton or the insertion thereof in a bale of cotton after ginning, providing penalties for the violation thereof, and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 241 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 49.

Senator Oneal was recognized to explain S. B. No. 49.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Oneal:

S. B. No. 49, A bill to be entitled "An Act amending Article 297 of the Penal Code providing for the compulsory attendance of children in the public schools, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 49 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Oneal.
Davis.	Pace.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.

Small. Van Zandt.
 Stone. Westerfeld.
 Sulak. Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed
 by the following vote:

Yeas—23.

Beck.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	
Oneal.	Westerfeld.
Pace.	Woodruff.

Nays—5.

Burns.	Holbrook.
DeBerry.	Sanderford.
Hill.	

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 42.

Senator Rawlings was recognized
 to explain S. B. No. 42.

By unanimous consent, the Chair
 laid before the Senate on its second
 reading the following bill:

By Senator Rawlings:

S. B. No. 42, A bill to be entitled
 "An Act amending Article 5449, 1925
 Civil Statutes, so as to provide that
 when any abstract of judgment has
 been recorded it shall, from the date
 of such record and index, operate as
 a lien upon all of the real estate of
 the defendant situated in the county
 where such record and index are
 made and upon all real estate which
 defendant may thereafter acquire,
 situated in said county during the
 life of the judgment, and declaring
 an emergency."

(With committee amendment.)

The committee report recommend-
 ing that the bill be printed was
 adopted by unanimous consent.

The committee amendment was
 adopted.

The caption was amended to con-
 form by viva voce vote.

The bill was read second time as

amended and passed to engrossment
 by viva voce vote.

On motion of Senator Rawlings the
 constitutional rule requiring bills to
 be read on three several days was sus-
 pended and S. B. No. 42 was put on
 its third reading and final passage
 by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed
 by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 365.

Senator Redditt was recognized to
 explain S. B. No. 365.

By unanimous consent, the Chair
 laid before the Senate on its second
 reading the following bill:

By Senator Redditt:

S. B. No. 365, A bill to be entitled
 "An Act amending Section 3 of Arti-
 cle 1108, Chapter 10, Title 28, Re-
 vised Civil Statutes of Texas, 1925,
 and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 365 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 450.

Senator Regan was recognized to explain S. B. No. 450.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Regan:

S. B. No. 450, A bill to be entitled "An Act to amend Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas,

1925, as amended by Acts 1927, Fortieth Legislature, Regular Session, page 134, Chapter 87, Section 1, amended by Acts 1929, Forty-first Legislature, Regular Session, Page 50, Chapter 19, Section 1, amended by Acts 1933, Forty-third Legislature, Regular Session, page 372, Chapter 145, Section 2, so as to change the time and terms of holding the terms of District Court in Midland, Ector, Martin, Glasscock and Howard Counties, constituting the Seventieth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of Court in said counties and districts, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under this Act; repealing all laws in conflict herewith, and declaring an emergency."

(With committee substitute.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee substitute was adopted.

The bill was read second time as substituted and passed to engrossment by viva voce vote.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 45 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 162.

Senator Beck was recognized to explain S. B. No. 162.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Beck, Collie, Rawlings and Poage:

S. B. No. 162, A bill to be entitled "An Act requiring all State officials and employees to make bond payable to the State, and providing the Board of Control shall determine what officials and employees shall make bonds and amounts of such bonds, and providing the Attorney General shall approve such bonds as to form and financial responsibility, and this Act is cumulative of all other existing laws requiring such bonds, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 162 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Holbrook.
Burns.	Hopkins.
Collie.	Hornsby.
Cotten.	Martin.
Davis.	Moore.
DeBerry.	Neal.
Duggan.	Oneal.
Hill.	Pace.

Poage.	Small.
Rawlings.	Stone.
Redditt.	Sulak.
Regan.	Van Zandt.
Sanderford.	Westerfeld.
Shivers.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

Burns.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 207.

Senator Small was recognized to explain S. B. No. 207.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Small:

S. B. No. 207, A bill to be entitled "An Act amending Subdivision 5 of Article 1995 of the Revised Civil Statutes of the State of Texas, 1925, by distinctly specifying that the county for the performance of the obligation which is involved in the suit, must be named by the writing expressly, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 207 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

House Bill No. 385.

Senator Stone was recognized to take up and explain H. B. No. 385.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

H. B. No. 385, A bill to be entitled "An Act prohibiting the hunting, trapping, ensnaring, or killing of any wild deer, buck, doe, fawn, or wild turkey within the limits of the County of Bastrop, State of Texas, for a period of five years from and after the passage of this Act, and providing a penalty therefor, and declaring an emergency."

Amend H. B. No. 385 by adding Montgomery County, Texas, Hemp-

hill County and Hutchinson County, and amend the caption to conform.

BURNS.

Read and adopted.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time, as amended and passed to third reading by viva voce vote.

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 385 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 242.

Senator Westerfeld was recognized to take up and explain S. B. No. 242.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Westerfeld, Rawlings: S. B. No. 242, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas of 1925, as amended by Act of the Forty-third Legislature, approved March 10, 1933, relating to the administration of the affairs of private corporations in receivership, by providing that corporations organized and existing under Section 68 of Article 1302, Chapter 1 of Title 32, and under Title 112, of the Revised Civil Statutes of Texas, shall be exempt from certain of its provisions; and declaring an emergency."

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Westerfeld, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 242 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Face.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Hornsby.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Face.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.

Sanderford.	Sulak.
Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
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Senate Bill No. 485.

Senator Woodruff was recognized to explain S. B. No. 435.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Woodruff, by request: S. B. No. 435, A bill to be entitled "An Act to amend the law controlling Water Control and Improvement Districts, as embraced in Sections 33 and 45 of Chapter 25 of the General Laws enacted by the Thirty-ninth Legislature of Texas, at its Regular Session; and, Section 3 of Chapter 280 of the General Laws enacted by the Forty-first Legislature, at its Regular Session, in the following respects, i. e.; and declaring an emergency."

Senator Woodruff sent up the following amendment:

Amend S. B. No. 435 by inserting in Sub-division A of Section 3 between the words "all reasonable regulations" and the words "for preserving," the following: "To secure and maintain safe, sanitary, and adequate plumbing installations, connections, and the appurtenances thereto, as subsidiary parts of sanitary sewer system, and, as well," and amend the caption to conform.

WOODRUFF.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time, as amended, and passed to engrossment by viva voce vote.

On motion of Senator Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 435 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Collie.
Burns.	Cotten.

Davis.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—2.

Poage. Rawlings.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 388.

Senator Duggan was recognized to explain S. B. No. 388.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senator Duggan:

S. B. No. 388, A bill to be entitled "An Act amending Article 2742 of the Revised Civil Statutes, 1925, as amended by Acts of the Forty-first Legislature, First Called Session, Chapter 47, relating to the transfer of territory by petition, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time, as amended, and passed to engrossment by viva voce vote.

On motion of Senator Duggan, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 388 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—20.

Beck.	Neal.
Cotten.	Pace.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—6.

Burns.	Rawlings.
Collie.	Redditt.
Oneal.	Van Zandt.

Present—Not Voting.

Hill. Poage.

Absent—Excused.

Blackert. Fellbaum.

Senate Bill No. 425.

Senator Van Zandt was recognized to explain S. B. No. 425.

By unanimous consent, the Chair laid before the Senate on its second reading the following bill:

By Senators Van Zandt and Cotten:

S. B. No. 425, A bill to be entitled "An Act prohibiting trials of speed or endurance between dogs and providing a penalty therefor and declaring any place where they are conducted to be a nuisance, and providing for abatement of such nuisance and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Van Zandt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 425 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Neal.	Westerfeld.
ONeal.	Woodruff.

Absent.

Holbrook.	Moore.
Absent—Excused.	
Blackert.	Fellbaum.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	ONeal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hopkins.	Small.
Hornsby.	Sulak.
Martin.	Van Zandt.
Neal.	Woodruff.

Nays—1.

Westerfeld.

Absent.

Holbrook.	Stone.
Moore.	

Absent—Excused.

Blackert.	Fellbaum.
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Motion to Adjourn.

Senator Woodruff at 11:25 o'clock P. M. moved that the Senate adjourn until 10:00 o'clock A. M. Tuesday.

Substitute Motion.

Senator Davis made a substitute motion to adjourn until 10:30 o'clock a. m. Tuesday.

The substitute motion lost by viva voce vote.

Adjournment.

The motion to adjourn prevailed by viva voce vote.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, April 1, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 34, A bill to be entitled "An Act making appropriations for the support and maintenance of the State departments and agencies for the two fiscal years ending August 31, 1937,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute for said bill do pass and be printed in lieu of the original bill, in bill form.

REDDITT, Chairman.

Committee Room,

Austin, Texas, April 1, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 475, A bill to be entitled "An Act providing for payment of the salary of ex-officio superintendent of public instruction in all counties having not less than four thousand nine hundred and nineteen

(4,919) and not more than four thousand nine hundred and twenty (4,920) population, according to the last preceding Federal census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, April 1, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 66,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,
Austin, Texas, March 27, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agriculture to whom was referred

S. C. R. No. 29, A concurrent resolution "Requesting the President of the United States and the Congress to take all steps necessary to relieve the cotton producing and manufacturing industries of unnecessary burdens and to encourage foreign trade."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DeBERRY, Chairman.

Committee Room,
Austin, Texas, April 1, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 475, A bill to be entitled "An Act creating the Special Third District Court of Anderson County, Henderson County and Houston County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MARTIN, Chairman.

Committee Room,
Austin, Texas, April 1, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 472, A bill to be entitled "An Act to prohibit the teaching of any political, economic or social doctrines opposed to or destructive of the Constitutional System of Government of the United States, by any teacher, lecturer or instructor of any school, public or private, in the State of Texas, and further providing for the taking of an oath by any such instructor, lecturer or teacher, to be filed in the office of the state superintendent of public instruction, for the faithful performance of his or her duties and to preserve, protect and defend the Constitution of the United States and of the State of Texas; and providing penalties for the violation of the Act and for the excluding of citizens of foreign countries from the necessity of taking such oath; declaring if any section, clause, sentence, paragraph or provision should ever be held to be invalid for any reason, such holding shall not affect the validity of the remaining portions hereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, April 1, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 474, A bill to be entitled "An Act authorizing county boards of school trustees to abolish and/or subdivide common school districts having fewer than ten scholastics and not having conducted a school for a period of five years; providing for the adjustment of bonded in-

debtedness and the distribution of funds; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, March 26, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 423, A bill to be entitled "An Act amending House Bill No. 68, Chapter 19, page 29, Acts of the Fourth Called Session, Forty-first Legislature, 1930, providing an open season or a period of time when it shall be lawful to hunt, take or kill wild mourning doves in the North and South Zones with a special provision relating to the open season in Robertson and Limestone Counties, Texas, etc., repealing all laws in conflict with this act, making it unlawful to hunt, take or kill wild mourning doves at any other time of the year; providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIVERS, Chairman.

FORTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,
April 2, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

At Ease.

On motion of Senator Rawlings, and by unanimous consent, the Senate stood at ease for five minutes to allow the Committee on Insurance to complete a hearing on important bills.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Fellbaum.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Sulak.

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Senate Resolution No. 45.

Senator DeBerry called from the table S. R. No. 45, relative to the vote in executive sessions.

Senator Hornsby had the floor on discussion of his substitute for the report of the Rules Committee on Senate Rule No. 83.

Senator Martin sent up the following amendment to the substitute by Senator Hornsby:

Amend Hornsby substitute for S. R. No. 45 by adding at the end thereof the following:

The Secretary of Senate when certifying the results to the Governor shall state in said report the number of votes cast for and against the nominee.

MARTIN.

Read and adopted.

Senator Rawlings sent up the following amendment:

Amend the Hornsby substitute by adding:

Provided however any Senator may divulge and make public and newspapers shall be privileged to publish any of the proceedings of executive session had in connection with any confirmation.

RAWLINGS.

Read and pending.